S.B.Cr.Misc. Second Bail Appl. No.4478/2006

(Mithu Lal vs. State of Rajasthan)

Date of order : 10.10.2006

HON'BLE MR.H.R.PANWAR,J.

Mr.B.S.Rathore, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the material on record.

It is contended by the learned counsel for the petitioner that the contraband opium alleged to have been recovered from the petitioner is much less than the commercial quantity though higher than the small quantity and the petitioner is in custody for last more than a year and the trial is likely to take long time.

Having considered the totality of facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Mithu Lal s/o Nena Lal be released on bail in CR No.05/2006 P.S. Sanderao

provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-